

AMENDED IN SENATE MAY 15, 2013

AMENDED IN SENATE APRIL 1, 2013

**SENATE BILL**

**No. 684**

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**Introduced by Senator Hill**

February 22, 2013

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An act to amend Section 5273 of the Business and Professions Code, relating to advertising displays, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 684, as amended, Hill. Advertising displays: redevelopment agency project areas.

Existing law, the Outdoor Advertising Act, provides for the regulation by the Department of Transportation of advertising displays, as defined, within view of public highways. The act regulates the placement of off-premises advertising displays along highways that generally advertise business conducted or services rendered or goods produced or sold at a location other than the property upon which the display is located. Under the act, advertising displays advertising businesses and activities within the boundary limits of, and as a part of, an individual redevelopment agency project may, with the consent of the redevelopment agency governing the project, be considered to be on premises, as specified. A violation of these provisions is a misdemeanor.

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined. Existing law dissolved redevelopment agencies and community development agencies, as of February 1, 2012, and provides for the designation of successor agencies.

This bill would provide that an advertising display advertising businesses and activities within the boundary limits of, and as a part of, an individual redevelopment agency project, as the project boundaries existed on December 29, 2011, may continue to exist and be considered an on-premises display, ~~for a period not to exceed 10 years or the expiration of the redevelopment project area until January 1, 2023, if the advertising display meets specified criteria. This bill would authorize~~ *authorize, on and after January 1, 2022, the designated agency to request from the department an extension, as specified, and would provide that the 10-year period for an existing display shall commence on January 1, 2013 extension beyond January 1, 2023, not to exceed the expiration of the redevelopment project area.* By imposing new conditions on a redevelopment project advertising display to remain lawfully erected, a violation of which would constitute a misdemeanor, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 5273 of the Business and Professions
- 2 Code is amended to read:
- 3 5273. (a) Notwithstanding the dissolution of a state
- 4 redevelopment agency, and subject to subdivision (b), for purposes
- 5 of this chapter, an advertising display advertising the businesses
- 6 and activities developed within the boundary limits of, and as a
- 7 part of, an individual redevelopment agency project, as those
- 8 boundaries existed on December 29, 2011, may continue to exist
- 9 and be considered an on-premises display, as defined in Section
- 10 5490, if the advertising display meets all of the following
- 11 conditions:
- 12 (1) The advertising display is located within the boundary limits
- 13 of the project.

1 (2) The advertising display was constructed, was under  
2 construction, or had been approved for construction by the  
3 designated agency of the project on or before January 1, 2012.

4 (3) The advertising display does not cause the reduction of  
5 federal aid highway funds provided pursuant to Section 131 of  
6 Title 23 of the United States Code.

7 (b) An advertising display described in subdivision (a) may  
8 continue to exist ~~for a period not to exceed 10 years or the~~  
9 ~~expiration of the redevelopment project area, whichever first occurs~~  
10 ~~until January 1, 2023, after which Sections 5272, 5274, and 5405~~  
11 ~~apply. The~~ *On and after January 1, 2022, the* designated agency  
12 may for good cause request from the department an extension  
13 *beyond January 1, 2023, not to exceed the expiration of the*  
14 *redevelopment project area. The 10-year period for an existing*  
15 *display shall commence on January 1, 2013.*

16 (c) The designated agency shall be responsible for ensuring that  
17 an advertising display is consistent with this section and provides  
18 a public benefit.

19 SEC. 2. No reimbursement is required by this act pursuant to  
20 Section 6 of Article XIII B of the California Constitution because  
21 the only costs that may be incurred by a local agency or school  
22 district will be incurred because this act creates a new crime or  
23 infraction, eliminates a crime or infraction, or changes the penalty  
24 for a crime or infraction, within the meaning of Section 17556 of  
25 the Government Code, or changes the definition of a crime within  
26 the meaning of Section 6 of Article XIII B of the California  
27 Constitution.

28 SEC. 3. This act is an urgency statute necessary for the  
29 immediate preservation of the public peace, health, or safety within  
30 the meaning of Article IV of the Constitution and shall go into  
31 immediate effect. The facts constituting the necessity are:

32 As of February 1, 2012, redevelopment agencies have been  
33 dissolved and designated successor agencies have been vested with  
34 all authority, rights, powers, duties, and obligations previously  
35 vested in the former redevelopment agencies, including projects  
36 addressing blight in communities. In order that advertising displays  
37 can continue to exist within the redevelopment agency projects,

- 1 and help to fight blight in an affected community, it is necessary
- 2 that this act take effect immediately.

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